



Map No. 5750  
 Sec. 2  
 Twp. 27  
 Range 1E

BZA- 1-81  
 SCZ- \_\_\_\_\_  
 CU- \_\_\_\_\_  
 Filed \_\_\_\_\_

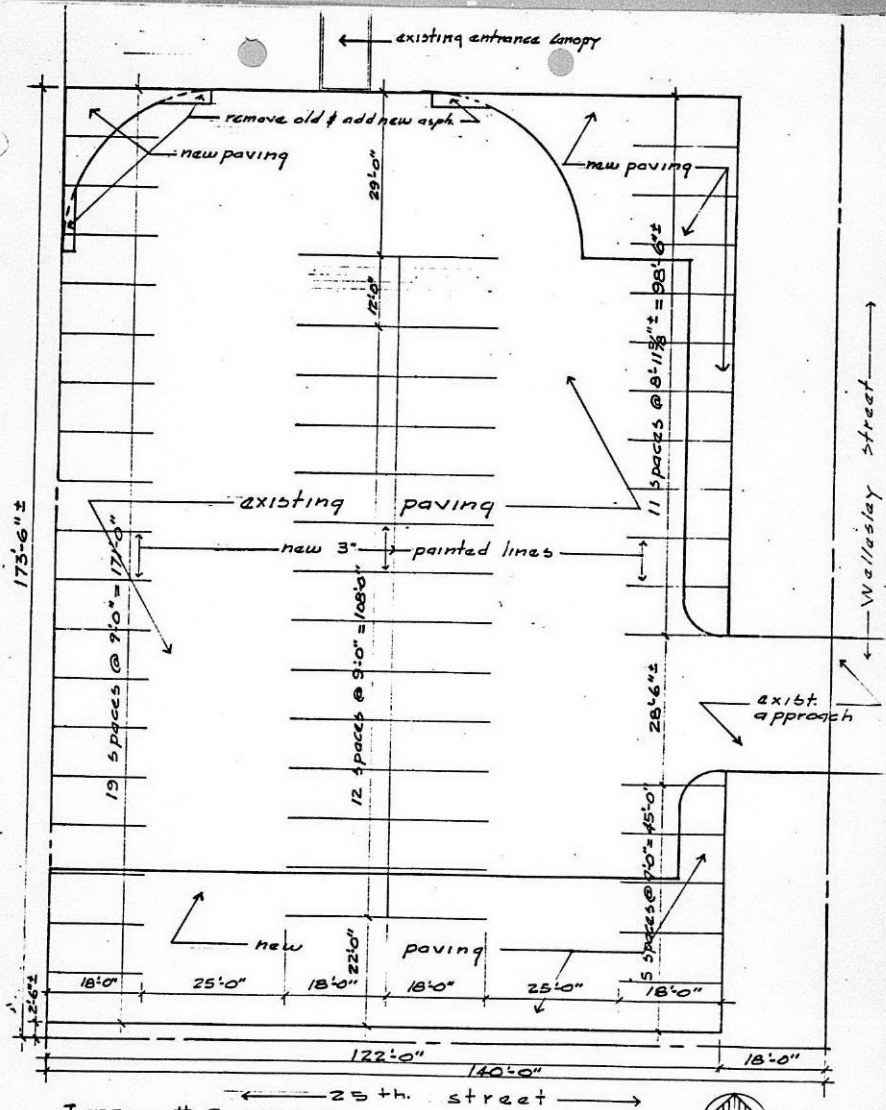
- AREA DATA:
- Acres: \_\_\_\_\_ ( 140 ft. by 300 ft.)
  - Adjoining Zoning: E \_\_\_\_\_ S \_\_\_\_\_ W \_\_\_\_\_ N \_\_\_\_\_
  - Land Use: East SINGLE FAM. South REMEMTORY  
 West UNDEVELOPED North UNDEVELOPED
  - Sketch Plan Land Use is for: \_\_\_\_\_
  - Present Land Use if for: RAINBOW UNITED SCHOOL
  - Area (is) (is not) platted.

PHOTO DATA:  
 Taken by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_



REMEMTORY

181



**ITEM # 2 WORK**

- A. New asphalt parking slab additions
- B. Strip present top soil to sub-grade required
- C. New 4" painted stripes

J. Ten #2



March 4, 1981

Jeffrey Johnson-Coba  
Rainbows United, Inc.  
2815 Wellesley Street  
Wichita, Kansas 67220

Re: Case No. EZA 1-81  
Request for Variance

Dear Ms. Johnson-Coba:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on February 24, 1981.

This Resolution reflects the official action of the Board to approve your request, and sets out the condition of approval. It is forwarded to you for your information and files.

If you have questions concerning this matter, please call our office.

Sincerely,

Glen E. Lytle  
Assistant Secretary

GEL:sad  
Enclosure

cc: Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

RESOLUTION NO. BZA 1-81

WHEREAS, Rainbows United, Inc., 2615 Wellesley Street, Wichita, Kansas, requests a variance as provided in Section 2.12.590.B, Code of the City of Wichita, to reduce the front yard setback adjacent to Wellesley Street from 25' to 18' and to reduce the side yard setback adjacent to 25th Street North from 6' to 2.5', both for off-street parking purposes only on property zoned the "AA" One-family Dwelling District and legally described as follows:

Even numbered Lots 2 to 24 inclusive, Block 8,  
Post and Christy's College Crest Addition to  
Wichita, Sedgwick County, Kansas. Generally  
located at the northwestern corner of Wellesley  
and 25th Streets.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of February 24, 1981, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant inasmuch as the property is located across from a use to the south that should be unaffected by the variance and the building is situated between the parking and the property to the north; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents inasmuch as the distance varied is insignificant to the east and to the south any future development would be a considerable distance from the applicant's parking lot; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application inasmuch as the expansion of the facility to the north requires additional parking and the space at the south of the building is inadequate to provide the parking without the requested variances; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare due to the fact that the reduction of the setbacks will be for off-street parking purposes only; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the intent of the regulations is to protect the light and air to adjacent properties, which in this case should be unaffected; and

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

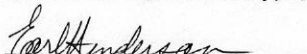
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to reduce the front yard setback adjacent to Wellesley from 25' to 18' and to reduce the sideyard setback adjacent to 25th Street North from 6' to 2.5' on property zoned the "AA" One-family Dwelling District and legally described as:

Even numbered Lots 2 to 24 inclusive, Block 3,  
Post and Christy's College Crest Addition to  
Wichita, Sedgwick County, Kansas. Generally  
located at the northwestern corner of Wellesley  
and 25th Streets.

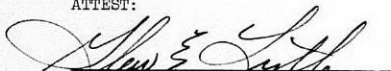
be approved subject to the following condition:

1. The variances shall reduce the front yard setback adjacent to Wellesley from 25' to 18'; and to reduce the side yard setback adjacent to 25th Street North from 6' to 2.5'; both for off-street parking purposes only.

ADOPTED AT WICHITA, KANSAS, this 24th day of February, 1981.

  
Earl Henderson, Chairman

ATTEST:

  
Gren E. Lytle, Assistant Secretary

February 26, 1981

Jeffrey Johnson-Coba  
Rainbows United, Inc.  
2615 Wellesley Street  
Wichita, Kansas 67220

Re: Case No. EZA 1-81  
Request for Variance

Dear Ms. Johnson-Coba:

At the regular meeting of the Board of Zoning Appeals on February 24, 1981, your request for a variance was considered to reduce the front yard setback adjacent to Wellesley Street from 25 feet to 18 feet and to reduce the side yard setback adjacent to 25th Street from 6 feet to 2.5 feet, both for off-street parking purposes only. It was the action of the Board to approve your request.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle  
Assistant Secretary

GEL:sad

cc: Robert Feldner, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE February 23, 1981

TO Glen Lytle, Special Assistant for Zoning

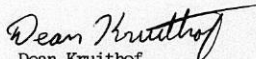
FROM Dean Kruithof, Administrative Aide III

SUBJECT EZA 1-81: Northwestern Corner of  
Wellesley and 25th Streets

At its February 17 meeting, Area "I" CPO Council considered the captioned case. Jeffree Johnson-Coba was present representing the applicant. No residents were in attendance. It was pointed out that the notice to adjoining property owners omitted the fact that the CPO Neighborhood Council would consider this case. The lack of resident attendance should not be considered as an indication of neighborhood acceptance for this variance request. Based on the information provided in the notice, the area residents would have been unaware of the CPO involvement in the case.

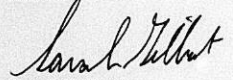
The Council voted unanimously, 6-0, to recommend approval of the requested variance to reduce the front yard setback along Wellesley from 25 feet to 18 feet and the side yard setback along 25th Street from 6 feet to 3 feet for the purpose of providing off-street parking in the "AA", One-Family Dwelling District.

Please inform the EZA of the Council's action when the case is considered on February 24. Thank you.

  
Dean Kruithof  
Administrative Aide III

DK:dm

Noted:

  
Sarah Gilbert  
Assistant CP Coordinator

SECRETARY'S REPORT  
CASE NO. BZA 1-81

APPLICANT: Rainbows United, Inc., 2615 Wellesley Street, Wichita, Kansas

AGENT: Jeffree Johnson - Coba, 2615 Wellesley Street, Wichita, Kansas

REQUEST: Variance pursuant to Section 2.12.590.B, Code of the City of Wichita, to reduce the front yard setback adjacent to Wellesley Street from 25 feet to 18 feet and to reduce the side yard setback adjacent to 25th Street from 6 feet to 2.5 feet, both for off-street parking purposes only.

GENERAL LOCATION: Subject property is located on the northwest corner of 25th Street North and Wellesley.

ZONING: Subject property is zoned the "AA" One-family Dwelling District as are all adjacent properties except the cemetery to the southwest is zoned "B" Multiple-family.

LAND USE: Subject property is occupied by a Child Day Care Center. Properties to the north and west are vacant. Properties to the east and south are one-family dwellings and the cemetery is to the southwest.

JURISDICTION:

The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita and the Board may grant the request when all five conditions as required by the State Statutes are found to exist.

COMMENTS BY THE SECRETARY:

In conjunction with the addition to the existing child care facility, it was necessary to expand the number of off-street parking spaces. With all of the existing parking located on the side of the building, it was most logical and economical to expand the parking area rather than creating additional parking on the north.

The majority of the block is undeveloped and the access to the parking lot is from Wellesley on the east. The reduction of the front yard from 25 feet to 18 feet adjacent to Wellesley will leave adequate setback from the properties to the east. The property to the south is occupied by a cemetery and one vacant residential lot that if developed would maintain a setback from 25th Street in excess of that normally required for residential development.

UNIQUENESS:

It is the opinion of the Secretary that the requested variance may arise from conditions unique to the property inasmuch as the property is located across from a use to the south that should be unaffected by the variance and the building is situated between the parking and the property to the north.

ADJACENT PROPERTY:

It is the opinion of the Secretary that the granting of the variance will not adversely affect the rights of adjacent property owners or residents inasmuch as the distance varied is insignificant to the east and to the south any future development would be a considerable distance from the applicant's parking lot.

HARDSHIP:

It is the opinion of the Secretary that the strict application of the provisions of Title 28 (Zoning Ordinance) would constitute an unnecessary hardship upon the applicant inasmuch as the expansion of the facility to the north requires additional parking and the space at the south of the building is inadequate to provide the parking without the requested variances.

PUBLIC INTEREST:

It is the opinion of the Secretary that the granting of the variances would not affect the public interest inasmuch as the variances will be for parking purposes only.

SPIRIT AND INTENT:

It is the opinion of the Secretary that the granting of the variance requested would not be opposed to the general spirit and intent of Title 29 (Zoning Ordinance) inasmuch as the intent of the setbacks are to protect adjacent properties which in this case should be unaffected.

RECOMMENDATION:

Should the Board determine that all five conditions necessary to the granting of the variance can be found to exist, then it is the recommendation of the Secretary that the variances be granted subject to the following condition:

1. The variances shall reduce the front yard setback adjacent to Wellesley from 25 feet to 18 feet; and to reduce the side yard setback adjacent to 25th Street North from 6 feet to 2.5 feet; both for off-street parking purposes only.

BOARD OF ZONING APPEALS  
Tenth Floor - City Hall  
455 North Main, Wichita, Kansas 67202

February 3, 1931

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 1-31

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Rainbows United, Inc., 2615 Wellesley Street, Wichita, Kansas requesting a variance.

Pursuant to Section 2.12.590.B of the Code of the City of Wichita, the applicant is requesting a variance to reduce the front yard setback along Wellesley Street from 25 feet to 18 feet and that the side yard setback along 25th Street be reduced from 6 feet to 3 feet, for the purpose of providing off-street parking in the "AA" One-family Dwelling District. A legal description of the applicant's property is as follows:

Even numbered Lots 2 to 24 inclusive, Block 3, Post and Christy's College Crest Addition to Wichita, Sedgwick County, Kansas. Generally located at the northwestern corner of Wellesley and 25th Streets.

This application has been assigned Case No. BZA 1-31. It will be considered by the Board of Zoning Appeals on February 24, 1931 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested variance you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Galbraith  
Secretary

BZA CASE NO. 1-81

2 NOTICES SENT TO APPLICANT/AGENT

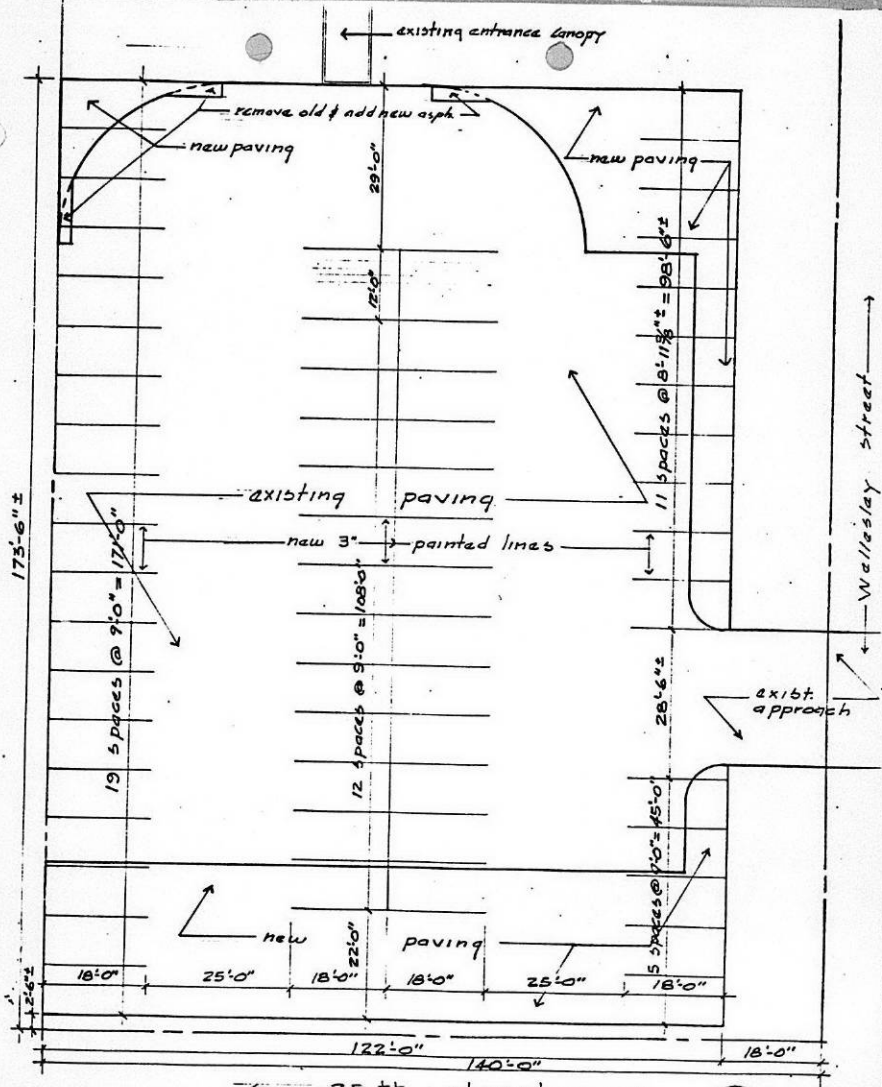
10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

14 NOTICES SENT TO ADJOINING PROPERTY OWNERS

27 TOTAL NOTICES SENT 2-2-81





**ITEM # 2 WORK**

- A. New asphalt parking slab additions
- B. Strip present top soil to sub-grade required
- C. New 4" painted stripes

7  
#2



## OWNERSHIP LIST

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
North $\frac{1}{2}$ of 23	A	Mona-Lynn Estates	✓ Dale W. Peters & Pat S. Peters, 1616 South 125th St. East, 67207
7	E	"	✓ Harold Wadsworth Miller & Donna E. Miller, 2558 N. Roosevelt, 67220
8	E	"	✓ Luther W. Marshall & Helen J. Marshall, 2551 Gentry Drive, 67220
2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 & 24	8	Post & Christy's College Crest Add.	✓ Presbytery of Southern Kansas, United Presbyterian Church in the United States of America, Inc., 216 East 2nd, 67202 in care of Rainbows United Inc., (contract purchaser), 2615 Wellesley, 67220 <i>Dup.</i>
26 & 28	8	"	<i>Dup.</i> Rainbows United Inc., 2615 Wellesley, 67220
30, 32, 34, 36, & 42	8	"	<i>Dup.</i> Presbytery of Southern Kansas, United Presbyterian Church in the United States of America Inc., 216 East 2nd, 67202
38 & 40	8	"	"
1, 3, 9, 11, 13, 15, 17, & 19	8	"	<i>Dup.</i> Presbytery of Southern Kansas, United Presbyterian Church in the United States of America, Inc., 216 East 2nd, 67202 in care of Rainbows United Inc., (contract purchaser), 2615 Wellesley, 67220 <i>Dup.</i>
5 & 7	8	"	✓ Angelo Johns & Elda A. Johns, 305 North 1st, Mulvane, 67110
21 & 23	8	"	✓ Leroy T. McCray, 1410 N. Broadview, 67208
25, 27, 29 & 31	8	"	<i>Dup.</i> Presbytery of Southern Kansas, United Presbyterian Church in the United States of America, Inc., 216 East 2nd, 67202

page 2

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
33, 35, & 37	8	Post & Christy's College Crest Add.	✓ Louis J. Banks & Maude S. Banks, 2640 N. Vassar, 67220
39 & 41	8	"	"
1, 3, 5, 7, & 9	9	"	✓ Administrator of Veteran's Affairs, 5500 E. Kellogg, 67218
11, 13, & 15	9	"	✓ Lester R. Hoy & Frances M. Hoy, 2616 Wellesley, 67220
17, 19, & 21	9	"	✓ Curtis Lavon Bowen & Charlotte S. Bowen, 2624 Wellesley, 67220
23, 25, 27, 29, & 31	9	"	✓ Ernest Ross, Jr. & Gloria Dean Ross, 2638 Wellesley, 67220
33 & 37	9	"	<i>D-4</i> ✓ Lyston Martin, 2652 Wellesley, 67220
35	9	"	✓ H.D. Mills & Joyce J. Mills, Peck, Ks., 67120
39	9	"	✓ Lyston Martin & Deborah L. Martin, 2652 Wellesley, 67220
NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of 2-27-1E			✓ Cemeteries of America, in care of Wichita Park Cemetery, 2500 N. Hillside, 67219



SECURITY IS KNOWING  
Title Insurance • Escrow Closings • Abstracts

page 3

We hereby certify the foregoing to be a true and correct list of the property owners within a 200 foot radius of

Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20,  
22, and 24, Block 8, Post and Christy's  
College Crest Addition to Wichita, Sedgwick  
County, Kansas

as shown by the last deed of record on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 22nd day of January, 1981 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO., INC.

By

*John Syron*  
Vice-President

Order No. 295536  
GE

**MICROFILMED**  
FROM THE BEST  
AVAILABLE COPY

FORM 29-1      PAYMENT NOTICE  
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

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DESCRIPTION	AMOUNT
<i>Planning</i>	<i>\$150-</i>

---

NAME *Peck, H. D. & J.*

ADDRESS *455 North Main Street*

FUND *11-4-29-103*      DUE DATE *2-1-71*

COMMENTS

DATE *2-26-71*      BY *H. D. Peck*

WICHITA - SEDGWICK COUNTY



BOARD OF ZONING APPEALS  
CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202



H. D. & Joyce J. Mills  
Peck, Ks. 67120

*40c*  
 Insured, info. no address  
 1¢ for each article  
 If no return address  
 Address unknown